



AdTtec
Administrative & Technical Consulting, Inc.

Friday, March 07, 2008

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743

FILED/ACCEPTED

MAR 13 2008

Federal Communications Commission
Office of the Secretary

CC: 02-6

RE: CC Docket No 02-6 - Request for Waiver
Billed Entity Name: Three Rivers Community Schools
Billed Entity Number: 131379
471 Number: 466796
FRN : 1284901, 1284907 and 1284913

Dear Ms. Dortch;

We request a waiver of the filing deadline for our appeal of the funding commitment for 2005 FRNs 1284901, 1284907 and 1284913. I know that this seems a greatly delayed request, but a series of late forms and misplaced communications have lead to this issue just recently coming to my attention. Please allow me to explain.

In 2005 Three Rivers Community Schools requested funding for local and long distance telephone service on a variety of line types (PRIs, Centrex, and POTS) for all their schools. They selected a local telephone company as the most cost effective service, Building Communications, Inc. (SPIN 143026472). Unfortunately, Building Communications did not update their FCC Form 498 until December 8, 2005 (I have attached a copy of the letter from the President of Building Communications sent with the updated 498). 471 #466796 was already in PIA review at this time (PIA contact began August 9, 2005 and ended December 16, 2005). As a result the request for funding was denied as using an "Invalid Telecom Carrier".

We appealed the denial of funding to the SLD late, our appeal was sent March 23, 2006 which exceeds the 60 day appeal window. I do not know why this appeal was sent late and so can only ask at this point that our error be forgiven with a waiver of the appeal deadline.

Darsey Carnal, E-Rate Contact
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On April 10, 2006 the SLD issued an Administrator's Decision on Appeal letter which denied our appeal because we exceeded the 60 day deadline. We did not receive this letter. It was addressed to the Three Rivers Administrative Building at 17601 Sixth Ave, Three Rivers. Unfortunately the building had recently been readdressed by the local Post Office as 851 Sixth Ave. It is possible that the Post Office did not deliver the letter because of the address error. It is also possible that the letter was delivered and lost in the building somewhere. Either way, it was not received by any one capable of responding to it. Meanwhile, we called the SLD Helpline twice to check the status of the appeal and were told that it was still under review. My third contact with the SLD revealed that a decision had been made with respect to the appeal and a copy of the April 10th letter was emailed to me. The denial letter clearly states that if I wished to continue my appeal, I had 60 days from April 10, 2006 to appeal the SLD's decision to the FCC. Unfortunately, this was not possible given that the decision letter reached me well after this deadline.

Stripping away the clutter of missed deadlines and lost letters, the crux of our funding appeal is the service provider's correction of their missing paperwork. They were able to get the error corrected and are listed on the SLD's website as an "Eligible Telecom Provider" with a valid 2005 SPAC. We feel that the original decision to deny Three Rivers' funding request unfairly penalizes Three Rivers for being the first of Building Communications' clients to go through the PIA review process that year. We ask that Three Rivers Community Schools' request for funding of local and long distance telephone service for FY 2005 be approved.

Please contact me at 317-581-0169 or darsey@admtec.com if there is any additional information I can provide to aid your review of our request for a waiver of the 2005 funding commitment appeal filing deadline for FRNs 1284901, 1284907 and 1284913 and approval of the requested funding. I appreciate any help or advice you can provide.

Thank you,


Darsey Carnal
E-Rate Contact

Building Communications, Inc.

December 8, 2005

USAC Billing and Disbursement
Attn: FCC Form 498
2000 L. Street, NW Suite 200
Washington, DC 20036

I wish to make the following revision for the FCC Form 498 currently on file with USAC:

Update to be an eligible Telecom Provider. Documents were submitted back in November of 2004 and it has come to our attention via our customers notifying us of ineligible status so we are resubmitting.

I certify that I have provided the information on the attached Service Provider Identification Number and Contact Information Form and to the best of my knowledge, information and belief, all information contained in this form is true and that said form is an accurate statement of the affairs of the above-named service provider.

Service Provider Number: 143026472

Signature _____

Date _____

Authorized Person: Gerald R. Ludwick

Title: President

FUNDING COMMITMENT REPORT
Billed Entity Name: THREE RIVERS COMMUNITY SCHOOLS
BEN: 131379
Funding Year: 2005

Form 471 Application Number: 466796
Funding Request Number: 1284901
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 884220000
SPIN: 143026472
Service Provider Name: Building Communications, Inc.
Contract Number: T
Billing Account Number: 269-278-9100
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$46,933.20
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$46,933.20
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Invalid Telecom Carrier
Funding Commitment Decision Explanation: This FRN is a request for
Telecommunications Service from a carrier that does not provide telecommunications on
a common carriage basis.

FCDL Date: 12/27/2005
Wave Number: 026

Funding Request Number: 1284907
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 884220000
SPIN: 143026472
Service Provider Name: Building Communications, Inc.
Contract Number: T
Billing Account Number: NA
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$8,151.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$8,151.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Invalid Telecom Carrier
Funding Commitment Decision Explanation: This FRN is a request for
Telecommunications Service from a carrier that does not provide telecommunications on
a common carriage basis.

FCDL Date: 12/27/2005
Wave Number: 026

FUNDING COMMITMENT REPORT
Billed Entity Name: THREE RIVERS COMMUNITY SCHOOLS
BEN: 131379
Funding Year: 2005

Form 471 Application Number: 466796
Funding Request Number: 1284913
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 884220000
SPIN: 143026472
Service Provider Name: Building Communications, Inc.
Contract Number: T
Billing Account Number: NA
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$4,860.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$4,860.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Invalid Telecom Carrier
Funding Commitment Decision Explanation: This FRN is a request for
Telecommunications Service from a carrier that does not provide telecommunications on
a common carriage basis.

FCDL Date: 12/27/2005
Wave Number: 026

Funding Request Number: 1284915
Funding Status: Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 884220000
SPIN: 143000893
Service Provider Name: Nextel
Contract Number: MTM
Billing Account Number: 842183515
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$5,670.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$5,670.00
Discount Percentage Approved by the SLD: 69%
Funding Commitment Decision: \$3,912.30 - FRN approved as submitted

FCDL Date: 12/27/2005
Wave Number: 026